

IFW

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Henning, et al.

Serial No.: 10/023,501

Group Art Unit: 1642

Filed: December 17, 2001

Examiner: Susan Ungar

For: Method for Increasing Clinical Specificity When Detecting Tumors and Their Precursor Stages by

Simultaneously Measuring at Least Two Different Molecular Markers

#### **CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

August 4, 2006

Gil Cunha

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS P.O. Box 1450 ALEXANDRIA, VA 22313-1450

# TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))

## TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

- 1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either
  - (1) a final action under section 1.113 or
  - (2) a notice of allowance under section 1.311 or
  - (3) any other action closing prosecution

whichever occurs first.

08/08/2006 HDESTA1 00000042 133372 10023501

01 FC:1806

180.00 DA

Attorney Docket No.: LeA 35 012

### FEE

2. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).

Fee due \$ 180.00

### **METHOD OF PAYMENT OF FEE**

3. Please charge Account No. 13-3372 in the amount of \$ 180.00. The Commissioner is also authorized to charge any fees that may have been overlooked but that are required to Deposit Account 13-3372. Additionally, please credit any overpayment to the same account.

Respectfully submitted,

Reg. No.: 48,972

Telephone: (203) 812-6450

Date: August 4, 2006

Susan M. Pellegrino<sup>l</sup>

Attorney for Applicant(s)

Bayer Corporation 400 Morgan Lane

West Haven, CT 06516

Form PTO-1449 (Modified) Patent and Trademark	

Serial No. 10/023,501 Group Art Unit 2121

Filing Date 12/17/2001

Atty. Docket No. Le A 35 012

INFORMATION DISCLOSURE CITATION

Applicant(s) Henning, et al.

		,	_		-		U.S.	PATE	NT DOCUM	ENTS			
*		DOCUMENT NO.							DATE MM/DD/YY	NAME	CLASS	SUB- CLASS	FILING DATE  IF  APPROPRIATE
	U5	5	5	4	4	6	5	0	08/13/96	Rutenburg, et al.			•.
	U6	6	0	0	5	2	5	6	12/21/99	McGlynn, et al.			
	U7	5	9	3	2	4	1	2	08/03/99	Dillner, et al.			
	U8	5	1	0	9	4	2	9	04/28/92	Bacus, et al.			
	U9	6	0	0	7	9	9	6	12/28/99	McNamara, et al.			
	U10	6	2	4	8	0	6	3	06/19/01	Barnhill, et al.			
	U11	20	02	01	23	8	4	5	09/05/02	Henning, et al.			

<u>.                                    </u>		FOREIGN	PATENT DOCU	MENTS				
		DOCUMENT NO.	DATE	COUNTRY	PRIMARY	SUB-	TRANS	LATION
		·	DD/MM/YY		CLASS	CLASS	YES	NO
	F1	9921014	29/04/99	WO				
	F2	0024760	04/05/00	WO				

	OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)
R17	Hopman, A., "Rapid Synthesis of Biotin-, Digoxigenin-, Trinitrophenyl-, and Fluorochrome-Labeled Tyramides and Their Application for In Situ Hybridization Using CARD Amplification", J. of Histochem. & Cytochem., 46: 771-777 (1998)
R18	Bergeron, C., "Human Papillomaviruses Associated with Cervical Intraepithelial Neoplasia", Am. J. Surgical Pathology, 16(7): 641-649, 1992
R19	Busmanis, I., "Biomarkers in Carcinoma of the Cervix, Emphasis on Tissue-related Factors and their Potential Prognostic Factors", Ann. Acad. Med. Singapore, <u>27</u> : 641-645, 1998

EXAM	INER
------	------

DATE CONSIDERED

<sup>\*</sup> EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

R20	Skomedal, H., "Aberrant Expression of the Cell Cycle Associated Proteins TP53, MDM2, p21, p27, cdk4, Cyclin D1, RB and EGFR in Cervical Carcinomas", Gynecologic Oncology 73: 223-228, 1999
R21	Mitra, "ERBB2 (HER2/neu) Oncogene is Frequently Amplified in Squamous Cell Carcinoma of the Uterine Cervix", Cancer Research 54: 637-639, 1994
R22	Radhakrishna Pillai, M., "The Presence of Human Papillomavirus-16/-18 E6, p53, and Bcl-2 protein in Cervicovaginal Smears from Patients with Invasive Cervical Cancer", Cancer Epidemiology, Biomarkers & Prevention, 5: 239-335, May 1996
R23	Kersemaekers, AM., "Oncogene Alterations in Carcinomas of thew Uterine Cervix: Overexpression
R24	Munirajan, A.K., "The Status of Human Papillomavirus and Tumor Suppressor Genes p53 and p16 in Carcinomas of Uterine Cervix from India", Gynecologic Oncology 69: 205-209, 1998

EXAMINER DATE CONSIDERED

<sup>\*</sup> EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.